

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEAN RAD, JONATHAN BADEEN, PAUL
CAFARDO, GARETH JOHNSON, JAMES
KIM, ALEXA MATEEN, JUSTIN MATEEN,
JOSHUA METZ, RYAN OGLE, and
ROSETTE PAMBAKIAN,

Plaintiffs,

v.

IAC/INTERACTIVECORP and
MATCH GROUP, INC.,

Defendants.

Case No. 18 Civ. 7358

[PROPOSED] ORDER
WITHDRAWING REMOVAL AND
REMANDING TO STATE COURT

Upon receipt of additional information, Defendant Match Group, Inc. (“Match”) respectfully withdraws its notice of removal, Dkt. Nos. 1 and 4, and requests that the Court order that this action be remanded to the Supreme Court of the State of New York, New York County. In support of its request, Match states as follows:

1. Prior to filing its notice of removal, Match’s counsel inquired of defendant IAC/InterActiveCorp (“IAC”) and of IAC’s registered agent, CT Corporation, and was advised that neither had any record of service of the complaint in this action on IAC.

2. IAC was subsequently informed at 3:02 PM on August 15, 2018 by CT Corporation that service had been made on August 14, 2018, prior to the time that Match filed its petition for removal.

3. In light of these newly-learned facts, Match is therefore promptly filing this notice of withdrawal of its request for removal, and respectfully requests that the Court remand the action to the Supreme Court of the State of New York, New York County.

Dated: August 16, 2018

Respectfully Submitted,

WACHTELL LIPTON ROSEN & KATZ

/s/ Marc Wolinsky

Marc Wolinsky

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Attorneys for Match Group, Inc.

SO ORDERED:

U.S.D.J.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 16th day of August, 2018, a true and correct copy of the foregoing notice was served via e-mail and U.S. mail, first-class, postage pre-paid, to the following counsel of record:

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